

**PRELIMINARY MINUTES  
ZONING COMMISSION  
ZONING MEETING**

**THURSDAY, JULY 5, 2012**

9:00 A.M. Vista Center 1st Floor Hearing Room, VC-1W-47  
2300 N. Jog Road, West Palm Beach FL 33411

**CALL TO ORDER**

**A. Roll Call 9:00 A.M.**

Commissioner Sheri Scarborough, Chair	<b>Present</b>
Commissioner Alex Brumfield, Vice Chair	<b>Present</b>
Commissioner William F. Anderson	<b>Present</b>
Commissioner Sherry Hyman, Chair	<b>Absent</b>
Commissioner Joanne Davis	<b>Present</b>
Commissioner Sam Caliendo	<b>Absent</b>
Commissioner Mark Beatty	<b>Present</b>
Commissioner Robert Currie	<b>Absent</b>
Commissioner Jennifer Bakcsi	<b>Present</b>

**B. Opening Prayer and Pledge of Allegiance**

**C. Remarks of the Chair**

**D. Proof of Publication** – Motion to receive and file carried 6-0

**E. Adoption of the Minutes** – Motion carried 6-0

**F. Swearing In**

**G. Disclosures** – Listed by Agenda Number

Brumfield	Currie	Davis	Anderson	Hyman	Scarborough	Bakcsi	Caliendo	Beatty
None	Absent	5 -12	5-12	Absent	4, 5-12	5-12	Absent	5-12

**POSTPONEMENTS/REMANDS/WITHDRAWALS AGENDA**

**A. POSTPONEMENTS**

2. **ABN/Z/DOA/CA-2012-00696** Title: a Development Order Abandonment application of Florida Charter Foundation Inc, Precious Property Management Llc, Capstone Resdev LLC by Urban Design Kilday Studios, Agent. Request: to abandon Resolution R-2007-1620 for a Class A Conditional Use to allow Townhouses Title: an Official Zoning Map Amendment application of Florida Charter Foundation Inc, Precious Property Management Llc, Capstone Resdev LLC by Urban Design Kilday Studios, Agent. Request: to allow a rezoning from the Agriculture Residential (AR) Zoning District to the Residential Single Family (RS) Zoning District Title: a Development Order Amendment application of Florida Charter Foundation Inc, Precious Property Management Llc, Capstone Resdev LLC by Urban Design Kilday Studios, Agent. Request: to reconfigure the Site Plan, to add land area, add an access point and to delete the Conditional Overlay Zone (COZ) all Conditions of Approval for Resolution R-2007-1619 Title: a Class A Conditional Use application of Florida Charter Foundation Inc, Precious Property Management Llc, Capstone Resdev LLC by Urban Design Kilday Studios, Agent. Request: to allow a School, Elementary or Secondary School (Charter)  
General Location: 0.75 miles north of Gateway Boulevard on the northeast corner of Knollwood Road and Old Military Trail (**Franklin Academy - Boynton**) (Control 2005-00589)

Conditions of Approval Pages (37 - 40)  
Project Manager: Joyce Lawrence  
Size: 9.93 acres +

BCC District: 3

Staff Recommendation: Staff recommends approval of the Development Order Abandonment; approval of the Official Zoning Map Amendment; approval of the Development Order Amendment subject to 19 Conditions of Approval as indicated in Exhibit C-1; approval of the Class A Conditional Use subject to 4 Conditions of Approval as indicated in Exhibit C-2.

Motion to postpone to August 2, 2012

Brumfield	Currie	Davis	Anderson	Hyman	Scarborough	Bakcsi	Caliendo	Beatty
Yes	Absent	Yes	Yes	Absent	Yes	Yes	Absent	Yes
			Seconded					Moved

**DECISION: TO POSTPONE TO AUGUST 2, 2012 CARRIED BY A VOTE OF 6-0**

**B. REMANDS**

**C. WITHDRAWALS**

**END OF POSTPONEMENTS/REMANDS/WITHDRAWALS AGENDA**

**CONSENT AGENDA**

**A. REQUESTS TO PULL ITEMS FROM CONSENT**

**B. STATUS REPORTS**

**C. PREVIOUSLY POSTPONED ZONING APPLICATIONS**

**D. ZONING APPLICATIONS – NEW**

3. **ZV-2012-00690** Title: a Type II variance application of Curtis Lewis by Land Research Management Inc., Agent. Request: to allow a reduction in the side street setback; to allow a reduction in the Right-of-Way setback for a fence; and to eliminate the required trees and shrubs on both sides of a fence along the west property line.  
General Location: Southeast corner of the intersection of Wabasso Drive and Okeechobee Blvd. (**Okeechobee Steakhouse**) (Control 1994-00067)

Pages 53 - 75

Conditions of Approval Pages (61 - 61)  
Project Manager: Autumn Sorrow  
Size: 1.74 acres +

BCC District: 7

Staff Recommendation: Staff recommends approval of the request subject to 5 Conditions of Approval as indicated in Exhibit C.

**People who spoke on this application:**

Kevin McGinley – agreed to the Conditions of Approval

**MOTION:** To adopt a resolution approving a Type II Variance to allow a reduction in the side street setback; to allow a reduction in the Right-of-Way setback for a fence; and to eliminate the required trees and shrubs on both sides of a fence along the west property line subject to the Conditions of Approval as indicated in Exhibit C.

Motion to approve the request.

Brumfield	Currie	Davis	Anderson	Hyman	Scarborough	Bakcsi	Caliendo	Beatty
Yes	Absent	Yes	Yes	Absent	Yes	Yes	Absent	yes
Second			Maker					

**DECISION: TO APPROVE THE TYPE II VARIANCE WITH A VOTE OF 6-0.**

4. **ZV/DOAR-2011-02915** Title: a Type II Zoning Variance application of Cumberland Farms Inc. by Lewis Longman and Walker PA, Agent. Request: to allow encroachment of utility easement; to allow reduction in width of a landscape buffer and reduced number of plant materials; to allow elimination of a 6-foot high wall in a Type III Incompatibility Buffer; to allow elimination of queuing spaces and reduced number of parking spaces Title: a Development Order Amendment application of Cumberland Farms Inc. by Lewis Longman and Walker PA, Agent. Request: to reconfigure the Site Plan Title: a Requested Use application of Cumberland Farms Inc. by Lewis Longman and Walker PA, Agent. Request: to allow a Convenience Store with Gas Sales  
 General Location: Northwest corner of State Road 7 and Sandalfoot Boulevard  
**(Cumberland Farms SR 7) (Control 1973-00116)**

Pages 76 - 112

Conditions of Approval Pages (96 - 102)

Project Manager: Joyce Lawrence

Size: 1.05 acres +

BCC District: 5

Staff Recommendation: Staff recommends approval of the Type II Variance subject to 5 Conditions of Approval as indicated in Exhibit C-1; and approval of the Development Order Amendment subject to 25 Conditions of Approval as indicated in Exhibit C-2; and approval of the Requested Use subject to 12 Conditions of Approval as indicated in Exhibit C-3.

**People who spoke on this application:**

Al Malefatto – agreed to the Conditions of Approval.

Commissioner Beatty had questions on the proposed architecture; the applicant responded to his questions and concerns.

**MOTION:** To adopt a resolution approving the Type II Variances to allow encroachment of utility easement; to allow reduction in width of a landscape buffer width and reduced number of plant materials; to allow elimination of a 6-foot high wall in a Type III Incompatibility Buffer; to allow elimination of queuing spaces and reduced number of parking spaces subject to Conditions of Approval as indicated in Exhibit C-1.

Motion to approve the request.

Brumfield	Currie	Davis	Anderson	Hyman	Scarborough	Bakcsi	Caliendo	Beatty
Yes	Absent	Yes	Yes	Absent	Yes	Yes	Absent	No
Moved			Second					

**MOTION:** To recommend approval of a Development Order Amendment to reconfigure the Site Plan subject to Conditions of Approval as indicated in Exhibit C-2.

Motion to approve the request.

Brumfield	Currie	Davis	Anderson	Hyman	Scarborough	Bakcsi	Caliendo	Beatty
Yes	Absent	Yes	Yes	Absent	Yes	Yes	Absent	No
Moved			Second					

**MOTION:** To recommend approval of a Requested Use to allow a Convenience Store with Gas Sales subject to Conditions of Approval as indicated in Exhibit C-3.

Motion to approve the request

Brumfield	Currie	Davis	Anderson	Hyman	Scarborough	Bakcsi	Caliendo	Beatty
Yes	Absent	Yes	Yes	Absent	Yes	Yes	Absent	No

Moved			Second					
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**DECISION: TO APPROVE THE TYPE II VARIANCE WITH A VOTE OF 5-1; TO RECOMMEND APPROVAL OF DEVELOPMENT ORDER AMENDMENT AND THE REQUESTED USE AS AMENDED WITH A VOTE OF 5-1**

**E. CORRECTIVE RESOLUTIONS**

**F. SUBDIVISION VARIANCE**

**END OF CONSENT AGENDA**

**REGULAR AGENDA**

**A. ITEMS PULLED FROM CONSENT**

- CB-2012-00692** Title: a Class B Conditional Use application of Community Land Trust Of Palm Bch Cnty by Zabik and Associates Inc, Colome & Associates Inc, Agent.  
Request: to allow 24 Multi-family units within the Residential Multi-family (RM) Zoning District  
General Location: Approximately 0.20 mile south of Melaleuca Lane on the west side of Davis Road. **(Davis Landings West)** (Control 2011-00450)

Pages 1 - 21

Conditions of Approval Pages (14 - 16)

Project Manager: Donna Adelsperger

Size: 4.29 acres +

BCC District: 3

Staff Recommendation: Staff recommends approval of the request subject to 14 Conditions of Approval as indicated in Exhibit C.

**People who spoke on this application:**

**Donna Adelsperger (staff)** gave brief presentation

**Liz Colome (agent)** gave presentation on the project.

Commissioners had questions regarding: the proposed community garden, office location, price of the units, the height of adjacent single family residences to the north, proposed fence, and the connection to Melaleuca Lane.

Two people spoke in support of the project; four spoke in opposition to the project; one person had questions but did not oppose and seven were in opposition but did not speak.

Staff added new landscape condition that was read into the record for upgraded landscaping on the north and west property line.

**MOTION:** To adopt a resolution approving a Class B Conditional Use to allow 24 multi-family units within the Residential Multi-family (RM) Zoning District subject to the Conditions of Approval as indicated in Exhibit C and as amended.

Motion to approve the request

Brumfield	Currie	Davis	Anderson	Hyman	Scarborough	Bakcsi	Caliendo	Beatty
Yes	Absent	Yes	Yes	Absent	Yes	Yes	Absent	Yes
Seconded			Moved					

**DECISION: TO APPROVE THE CLASS B CONDITIONAL USE, AS AMENDED WITH A VOTE OF 6-0**

**B. STATUS REPORTS**

**C. PREVIOUSLY POSTPONED ZONING APPLICATIONS**

**D. ZONING APPLICATIONS – NEW**

5. **W/DOA-2012-00379** Title: Waiver application of Boynton Beach Associates XXII LLLP by G.L. Homes, Agent. Request: to allow an increase in the number of streets terminating in a cul-de-sac Title: a Development Order Amendment application of Boynton Beach Associates XXII LLLP by G.L. Homes, Agent. Request: to reconfigure the Master Plan, delete land area, decrease the number of units, redesignate the Model Row, modify/delete Conditions of Approval (Engineering, Landscaping, Planning), and re-start the commencement clock  
General Location: Northwest corner of Boynton Beach Boulevard and Lyons Road  
**(Amestoy AGR-PUD)** (Control 2005-00162)

Pages 113 - 163

Conditions of Approval Pages (138 - 149)

Project Manager: Carol Glasser

Size: 636.42 acres +

BCC District: 5, 6

(affected area 414.62 acres +)

Staff Recommendation: Staff recommends approval of the Waiver; and, approval of the Development Order Amendment subject to 37 Conditions of Approval as indicated in Exhibit C.

**People who spoke on this application:**

This application was presented by Zoning Staff concurrently with the 7 other AGR-PUD DOA's, AGR rezonings, and Class A Conditional Use applications as indicated in the Application Summary. The agent for G. L. Homes gave a presentation for the Amestoy AGR-PUD, Canyon Lakes, Canyon Isles, Canyon Springs, Valencia Assemblage, Charter School, and Gray Farm applications and submitted letters of support for the concurrent applications from the Canyon Springs Homeowners Association (HOA), the Canyon Isles HOA, Cobblestone Creek HOA, and Equus Property Owners Association. The agent for the Somerset Academy Charter School application from Urban Design Kilday Studios presented the proposed school project and requested a Condition of Approval be applied to limit the school to the middle and high school grades.

Commissioner Davis requested a composite map of all the requests taken as a whole. Staff provided and explained G.L. Homes' overall ultimate project exhibit and answered questions.

Eight members of the public spoke in opposition citing concerns of: Incompatibility with farming, loss of agricultural area, any development near the Wildlife Refuge, strain on water supply, negative impact to public schools from Charter schools, abandonment of Acme Dairy Road, and conversion of an existing nursery abutting Canyon Springs that was previously designated as an AGR-PUD preserve to a development area. Additionally, a representative of the Arthur R. Marshall Loxahatchee National Wildlife Refuge requested clarification/additional information regarding changes to the preserve areas west of SR7/US441.

Forty-five members of the public submitted comment cards or spoke in support of the proposed School use and petitions with 475 signatures in support were submitted. The ZC recommended approval of all of the requests for the 8 concurrent applications and approved the Type II Variance for Valencia Assemblage by a vote of 5-1. Commissioner Davis opposed indicating a lack of a critical mass of land for agriculture in the Agricultural Reserve Tier.

**MOTION:** To recommend approval of a Waiver to allow an increase in the number of streets terminating in a cul-de-sac.

Motion to approve the request

Brumfield	Currie	Davis	Anderson	Hyman	Scarborough	Bakcsi	Caliendo	Beatty
Yes	Absent	No	Yes	Absent	Yes	Yes	Absent	Yes
Second			Moved					

**MOTION:** To recommend approval of a Development Order Amendment to reconfigure the Master Plan, delete land area, decrease the number of units, redesignate the Model Row, modify/delete Conditions of Approval (Engineering, Landscaping, Planning), and re-start the commencement clock subject to the Conditions of Approval as indicated in Exhibit C.

Motion to approve the request

Brumfield	Currie	Davis	Anderson	Hyman	Scarborough	Bakcsi	Caliendo	Beatty
Yes	Absent	No	Yes	Absent	Yes	Yes	Absent	Yes
Second			Moved					

**MOTION:** To recommend approval of a Partial Release of Conservation Easement as indicated in Exhibit E.

Motion to approve the request

Brumfield	Currie	Davis	Anderson	Hyman	Scarborough	Bakcsi	Caliendo	Beatty
Yes	Absent	No	Yes	Absent	Yes	Yes	Absent	Yes
Second			Moved					

**DECISION: TO RECOMMEND APPROVAL OF A WAIVER, A DEVELOPMENT ORDER AMENDMENT AND A PARTIAL RELEASE OF CONSERVATION EASEMENT AS AMENDED WITH A VOTE OF 5-1**

- PDD/DOA-2012-00380** Title: an Official Zoning Map Amendment to a Planned Development District application of Boynton Beach Associates XXIV LLLP by G.L. Homes, Agent. Request: to allow a rezoning from the Agricultural Reserve (AGR) Zoning District to the Agricultural Reserve Planned Unit Development (AGR-PUD) Zoning District Title: a Development Order Amendment application of Boynton Beach Associates XXIV LLLP by G.L. Homes, Agent. Request: to reconfigure the Master Plan, add land area, delete land area, and modify/delete Conditions of Approval (Planning) General Location: South of Boynton Beach Blvd. between Acme Dairy and Lyons Roads (**Canyon Lakes**) (Control 2002-00067)

Pages 164 - 217

Conditions of Approval Pages (187 - 202)

Project Manager: Carol Glasser

Size: 517.00 acres +

(affected area 127.86 acres +)

BCC District: 5, 6

**Staff Recommendation:** Staff recommends approval of the rezoning; and, approval of the Development Order Amendment subject to 79 Conditions of Approval as indicated in Exhibit C.

**People who spoke on this application:**

See summary for agenda item 5. Items 5 through 12 are all related and in the AGR Tier.

**MOTION:** To recommend approval of an Official Zoning Map Amendment to allow a rezoning from the Agricultural Reserve (AGR) Zoning District to the Agricultural Reserve Planned Unit Development (AGR-PUD) Zoning District.

Motion to approve the request

Brumfield	Currie	Davis	Anderson	Hyman	Scarborough	Bakcsi	Caliendo	Beatty
Yes	Absent	No	Yes	Absent	Yes	Yes	Absent	Yes
Second			Move					

**MOTION:** To recommend approval of a Development Order Amendment to reconfigure the Master Plan, add land area, and delete land area, and modify/delete Conditions of Approval (Planning) subject to the Conditions of Approval as indicated in Exhibit C.

Motion to approve the request

Brumfield	Currie	Davis	Anderson	Hyman	Scarborough	Bakcsi	Caliendo	Beatty
Yes	Absent	No	Yes	Absent	Yes	Yes	Absent	Yes
Second			Move					

MOTION: To recommend approval of the Termination and Release of Conservation Easement as Indicated in Exhibit E.

Motion to approve the request

Brumfield	Currie	Davis	Anderson	Hyman	Scarborough	Bakcsi	Caliendo	Beatty
Yes	Absent	No	Yes	Absent	Yes	Yes	Absent	Yes
Second			Move					

**DECISION: TO RECOMMEND APPROVAL OF AN OFFICIAL ZONING MAP AMENDMENT TO A PLANNED DEVELOPMENT DISTRICT, A DEVELOPMENT ORDER AMENDMENT AND A TERMINATION AND RELEASE OF CONSERVATION EASEMENT AS AMENDED WITH A VOTE OF 5-1**

7. **PDD/DOA-2012-00382** Title: an Official Zoning Map Amendment to a Planned Development District application of Boynton Beach Associates XXIV LLLP by G.L. Homes, Agent. Request: to allow a rezoning from the Agricultural Reserve (AGR) Zoning District to the Agricultural Reserve Planned Unit Development (AGR-PUD) Zoning District Title: a Development Order Amendment application of Boynton Beach Associates XXIV LLLP by G.L. Homes, Agent. Request: to add and delete land area and reconfigure the master plan  
 General Location: South of Boynton Beach Blvd. between Acme Dairy and Lyons Roads (**Canyon Isles**) (Control 2002-00068)

Pages 218 - 270

Conditions of Approval Pages (239 - 253)

Project Manager: Carol Glasser

Size: 511.48 acres +

(affected area 23.42 acres +)

BCC District: 5, 6

Staff Recommendation: Staff recommends approval of the rezoning; and, approval of the Development Order Amendment subject to 73 Conditions of Approval as indicated in Exhibit C.

**People who spoke on this application:**

See summary for agenda item 5. Items 5 through 12 are all related and in the AGR Tier.

**MOTION:** To recommend approval of an Official Zoning Map Amendment to allow a rezoning from the Agricultural Reserve (AGR) Zoning District to the Agricultural Reserve Planned Unit Development (AGR-PUD) Zoning District.

Motion to approve the request

Brumfield	Currie	Davis	Anderson	Hyman	Scarborough	Bakcsi	Caliendo	Beatty
Yes	Absent	No	Yes	absent	Yes	Yes	Absent	Yes
Second			Move					

**MOTION:** To recommend approval of a Development Order Amendment to add and delete land area and reconfigure the master plan subject to the Conditions of Approval as indicated in Exhibit C.

Motion to approve the request

Brumfield	Currie	Davis	Anderson	Hyman	Scarborough	Bakcsi	Caliendo	Beatty
Yes	Absent	No	Yes	Absent	Yes	Yes	Absent	Yes
Second			Move					

**MOTION:** To recommend approval of the Partial Release of Conservation Easement as indicated in Exhibit E.

Motion to approve the request

Brumfield	Currie	Davis	Anderson	Hyman	Scarborough	Bakcsi	Caliendo	Beatty
Yes	Absent	No	Yes	Absent	Yes	Yes	Absent	Yes
Second			Move					

**DECISION: TO RECOMMEND APPROVAL OF AN OFFICIAL ZONING MAP AMENDMENT TO A PLANNED DEVELOPMENT DISTRICT, A DEVELOPMENT ORDER AMENDMENT AND A PARTIAL RELEASE OF CONSERVATION EASEMENT AS AMENDED WITH A VOTE OF 5-1**

8. **PDD/DOA-2012-00383** Title: an Official Zoning Map Amendment to a Planned Development District application of G L Homes Of Palm Beach Assocs. Ltd by G.L.Homes, Agent. Request: to allow a rezoning from the Agricultural Reserve (AGR) Zoning District to the Agricultural Reserve Planned Unit Development (AGR-PUD) Zoning District Title: a Development Order Amendment application of G L Homes Of Palm Beach Assocs. Ltd by G.L. Homes, Agent. Request: to add and delete land area and reconfigure the Master Plan  
General Location: South of Boynton Beach Blvd. between Acme Dairy and Lyons Roads (**Canyon Springs**) (Control 2002-00069)

Pages 271 - 339

Conditions of Approval Pages (294 - 309)

Project Manager: Carol Glasser

Size: 507.57 acres +

(affected area 162.69 acres +)

BCC District: 5, 6

Staff Recommendation: Staff recommends approval of the rezoning; and, approval of the Development Order Amendment subject to 74 Conditions of Approval as indicated in Exhibit C.

**People who spoke on this application:**

See summary for agenda item 5. Items 5 through 12 are all related and in the AGR Tier.

**MOTION:** To recommend approval of an Official Zoning Map Amendment to allow a rezoning from the Agricultural Reserve (AGR) Zoning District to the Agricultural Reserve Planned Unit Development (AGR-PUD) Zoning District.

Motion to approve the request

Brumfield	Currie	Davis	Anderson	Hyman	Scarborough	Bakcsi	Caliendo	Beatty
Yes	Absent	No	Yes	Absent	Yes	Yes	Absent	Yes
Second			Moved					

**MOTION:** To recommend approval of a Development Order Amendment to add and delete land area and reconfigure the Master Plan subject to the Conditions of Approval as indicated in Exhibit C.

Motion to approve the request

Brumfield	Currie	Davis	Anderson	Hyman	Scarborough	Bakcsi	Caliendo	Beatty
Yes	Absent	No	Yes	Absent	Yes	Yes	Absent	Yes
Second			Moved					



**MOTION:** To recommend approval of a Full Release of Conservation Easement as indicated in Exhibit E: and, a Partial Release of Conservation Easement as indicated in Exhibit F.

Motion Carried: to approve the request

Brumfield	Currie	Davis	Anderson	Hyman	Scarborough	Bakcsi	Caliendo	Beatty
Yes	Absent	No	Yes	Absent	Yes	Yes	Absent	Yes
Second			Moved					

**DECISION: TO RECOMMEND APPROVAL OF AN OFFICIAL ZONING MAP AMENDMENT TO A PLANNED DEVELOPMENT DISTRICT, A DEVELOPMENT ORDER AMENDMENT AND A FULL AND PARTIAL RELEASE OF CONSERVATION EASEMENT AS AMENDED WITH A VOTE OF 5-1**

9. **ZV/PDD/DOA-2012-00384** Title: a Type II Zoning Variance application of G L Homes of Palm Beach Assocs. Ltd by G.L. Homes, Agent. Request: to allow a reduction in the AGR-PUD perimeter buffer width Title: an Official Zoning Map amendment to a Planned Development District application of G L Homes of Palm Beach Assocs. Ltd by G.L. Homes, Agent. Request: to allow a rezoning from the Agricultural Reserve (AGR) Zoning District to the Agricultural Reserve Planned Unit Development (AGR-PUD) Zoning District Title: a Development Order Amendment application of G L Homes of Palm Beach Assocs. Ltd by G.L. Homes, Agent. Request: to reconfigure the Master Plan, add and delete land area, increase the number of units; designate the Model Row, delete Conditions of Approval in Resolution R-2009-707, and re-start the commencement clock  
General Location: Between Lyons Road and Florida's Turnpike north of future Flavor Pict Road (**Valencia Assemblage**) (Control 2004-00369)

Pages 340 - 409

Conditions of Approval Pages (370 - 379)

Project Manager: Carol Glasser

Size: 698.75 acres +

BCC District: 5, 6

(affected area 476.57 acres +)

Staff Recommendation: Staff recommends approval of the Type II Variance subject to 4 Conditions of Approval as indicated in Exhibit C-1; approval of the rezoning; and, approval of the Development Order Amendment subject to 36 Conditions of Approval as indicated in Exhibit C-2.

**People who spoke on this application:**

See summary for agenda item 5. Items 5 through 12 are all related and in the AGR Tier.

**MOTION:** To adopt a resolution approving a Type II Variance to allow a reduction in the AGR-PUD perimeter buffer width subject to the Conditions of Approval in Exhibit C-1.

Motion to approve the request

Brumfield	Currie	Davis	Anderson	Hyman	Scarborough	Bakcsi	Caliendo	Beatty
Yes	Absent	No	Yes	Absent	Yes	Yes	Absent	Yes
second			Moved					

**MOTION:** To recommend approval of an Official Zoning Map Amendment to allow a rezoning from the Agricultural Reserve (AGR) Zoning District to the Agricultural Reserve Planned Unit Development (AGR-PUD) Zoning District.

Motion to approve the request

Brumfield	Currie	Davis	Anderson	Hyman	Scarborough	Bakcsi	Caliendo	Beatty
Yes	Absent	No	Yes	Absent	Yes	Yes	Absent	Yes
Second			Moved					

**MOTION:** To recommend approval of a Development Order Amendment to reconfigure the Master Plan, add and delete land area, increase the number of units; designate the Model Row, delete Conditions of Approval in Resolution R-2009-707, and re-start the commencement clock subject to the Conditions of Approval as indicated in Exhibit C-2.

Motion to approve the request

Brumfield	Currie	Davis	Anderson	Hyman	Scarborough	Bakcsi	Caliendo	Beatty
Yes	Absent	No	Yes	Absent	Yes	Yes	Absent	Yes
Second			Moved					

**DECISION: TO RECOMMEND APPROVAL OF AN OFFICIAL ZONING MAP AMENDMENT TO A PLANNED DEVELOPMENT DISTRICT, A DEVELOPMENT ORDER AMENDMENT AS AMENDED WITH A VOTE OF 5-1**

10. **Z-2012-00385** Title: an Official Zoning Map Amendment application of Boynton Beach Associates XXII LLLP by G.L. Homes, Agent. Request: to allow a rezoning from the Agricultural Reserve Planned Unit Development (AGR-PUD) Zoning District to the Agricultural Reserve (AGR) Zoning District  
General Location: Boynton Beach Blvd and west of Lyons Road (**Charter School**)  
 (Control 2012-00090)

Pages 410 - 422  
 Project Manager: David McGuire  
 Size: 105.45 acres +  
 (affected area 14.00 acres +)

BCC District: 5

Staff Recommendation: Staff recommends approval of the request

**People who spoke on this application:**

See summary for agenda item 5. Items 5 through 12 are all related and in the AGR Tier.

**MOTION:** To recommend approval of an Official Zoning Map Amendment to allow a rezoning from the Agricultural Reserve Planned Unit Development (AGR PUD) Zoning District to the Agricultural Reserve (AGR) Zoning District

Motion to approve the request

Brumfield	Currie	Davis	Anderson	Hyman	Scarborough	Bakcsi	Caliendo	Beatty
Yes	Absent	No	Yes	Absent	Yes	Yes	Absent	Yes
Second			Moved					

**DECISION: TO RECOMMEND APPROVAL OF AN OFFICIAL ZONING MAP AMENDMENT AS AMENDED WITH A VOTE OF 5-1**

11. **Z-2012-00622** Title: an Official Zoning Map Amendment application of Delray Beach Associates I LLC, Boynton Beach Associates XXII LLLP by G.L. Homes, Agent. Request: to allow a rezoning from the Agricultural Reserve Planned Unit Development (AGR-PUD) Zoning District to the Agricultural Reserve (AGR) Zoning District subject to a Conditional Overlay Zone (COZ)  
General Location: Approximately 1/2 mile north of Atlantic Avenue on the west side of Starkey Road (**Gray Farm**) (Control 2012-00147)

Pages 423 - 436  
 Conditions of Approval Pages (432 - 432)  
 Project Manager: David McGuire  
 Size: 149.76 acres +  
 (affected area 15.00 acres +)

BCC District: 5

Staff Recommendation: Staff recommends approval of the request subject to a Conditional Overlay Zone (COZ) and 3 Conditions of Approval as exhibited in Exhibit C.

**People who spoke on this application:**

See summary for agenda item 5. Items 5 through 12 are all related and in the AGR Tier.

**MOTION:** To recommend approval of an Official Zoning Map Amendment to allow a rezoning from the Agricultural Reserve Planned Unit Development (AGR PUD) Zoning District to the Agricultural Reserve (AGR) Zoning District subject to a Conditional Overlay Zone (COZ) and the Conditions of Approval as indicated in Exhibit C

Motion to approve the request

Brumfield	Currie	Davis	Anderson	Hyman	Scarborough	Bakcsi	Caliendo	Beatty
Yes	Absent	No	Yes	Absent	Yes	Yes	Absent	Yes
Second			Moved					

**DECISION: TO RECOMMEND APPROVAL OF AN OFFICIAL ZONING MAP AMENDMENT AS AMENDED WITH A VOTE OF 5-1**

12. **CA-2012-00389** Title: a Class A Conditional Use application of School Development HC LLC by Urban Design Kilday Studios, Agent. Request: to allow a School, Elementary or Secondary 12.

General Location: Bounded by Boynton Beach Blvd to the south and the future development of the Amestoy AGR-PUD is to the north and east of the site. (**Somerset Academy Charter School**) (Control 2012-00090)

Pages 437 - 460

Conditions of Approval Pages (454 - 456)

Project Manager: David McGuire

Size: 105.45 acres +

BCC District: 5

(affected area 14.00 acres +)

Staff Recommendation: Staff recommends approval of the request subject to 15 Conditions of Approval as exhibited in Exhibit C.

**People who spoke on this application:**

See summary for agenda item 5. Items 5 through 12 are all related and in the AGR Tier.

**MOTION:** To recommend approval of a Class A Conditional Use to allow a School, Elementary or Secondary subject to the Conditions of Approval as indicated in Exhibit C.

Motion to approve the request

Brumfield	Currie	Davis	Anderson	Hyman	Scarborough	Bakcsi	Caliendo	Beatty
Yes	Absent	No	Yes	Absent	Yes	Yes	Absent	Yes
Second			Moved					

**DECISION: TO RECOMMEND APPROVAL OF A CLASS A CONDITIONAL USE AS AMENDED WITH A VOTE OF 5-1**

**E. SUBDIVISION VARIANCE**

**END OF REGULAR AGENDA**

**DIRECTOR COMMENTS**

**A. COUNTY ATTORNEY**

**B. ZONING DIRECTOR**

**C. EXECUTIVE DIRECTOR**

**COMMISSIONER COMMENTS**

**ADJOURNMENT 11:50 AM**